

PLANNING COMMITTEE

MINUTES

30 MAY 2018

Chair: * Councillor Keith Ferry

Councillors: * Simon Brown (1) * Christine Robson
* Stephen Greek * Sachin Shah (3)
* Anjana Patel * Bharat Thakker

In attendance: Richard Almond Minute 25
(Councillors)

* Denotes Member present
(1) and (3) Denote category of Reserve Members

1. Attendance by Reserve Members

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

Ordinary Member

Councillor Ghazanfar Ali
Councillor Graham Henson

Reserve Member

Councillor Simon Brown
Councillor Sachin Shah

2. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda item indicated:

Councillor

Planning Application

Richard Almond

2/13

3. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Items 11 & 12 – Major Applications; Other Applications Recommended for Grant

1/02 & 1/03 - Councillor Keith Ferry declared a Non-Pecuniary interest in that he regularly attended matches at the Hive but did not sit in the South Stand. He would remain in the room whilst the matter was considered and voted upon.

2/02 - Councillors Keith Ferry, Simon Brown & Sachin Shah declared Non-Pecuniary interests in that the applicant was related to a Member of the Labour Group. They would leave the room whilst the matter was considered and voted upon.

2/03 - Councillor Keith Ferry declared a Non-Pecuniary interest in that he was a trustee of the West House. He would leave in the room whilst the matter was considered and voted upon.

2/08 - Councillor Keith Ferry declared a Non-Pecuniary interest in that the applicant had sponsored the Council's delegation to the MPIM conference in 2017. He would remain in the room whilst the matter was considered and voted upon.

1/02 & 1/03 – Councillor Sachin Shah declared a Pecuniary interest in that he had approved the original application for the Hive when he had been a Member of Cabinet. He would leave in the room whilst the matter was considered and voted upon.

Agenda Items 11 & 12 – Major Applications; Other Applications Recommended for Grant

2/12 - Councillors Stephen Greek, Anjana Patel & Bharat Patel declared Non-Pecuniary interests in that the applicant was a Member of the Conservative Group. They would leave the room whilst the matter was considered and voted upon.

Agenda Item 12 – Other Applications Recommended for Grant

2/08 - Councillor Bharat Thakker declared a Pecuniary interest in that he owned a property on the same street as the application site. He would leave the room whilst the matter was considered and voted upon.

4. Appointment of Vice Chair

RESOLVED: To note that Councillor Ghazanfar Ali be appointed Vice-Chair for the 2018/19 Municipal Year.

5. Minutes

RESOLVED: That the minutes of the meeting held on 25 April 2018 be taken as read and signed as a correct record.

6. Public Questions

RESOLVED: To note that no public questions were put, or petitions or deputations received.

7. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

8. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of items 2/03, 2/07 & 2/13 on the list of planning applications.

RESOLVED ITEMS

9. Addendum

RESOLVED: To accept both addendums.

10. 1/01: Kilby's Industrial Estate, Bacon Lane, Edgware - P/5810/17

PROPOSAL: *Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage*

DECISION: **Deferred**, subject to a site visit.

11. 1/02: The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware - P/2763/17

PROPOSAL: *Erection of an indoor academy building with an indoor 3G pitch, a new 11-a-side 3G pitch, eight 5-a-side pitches, a new indoor sports hall, a permanent ticket-office and club-shop, a permanent academy spectator stand and WC and snack shop porta cabins.*

Councillor Sachin Shah left the room during consideration of this item.

Following questions and comments from Members, an officer advised that:

- Sport England was satisfied that planning permission could be granted subject to a condition securing a Community Use Agreement;
- the Council's Open Space Protection Policy was designed to limit the loss of open space. A conflict with such policies was the starting place for decision making. Material considerations could outweigh policy conflicts. In this case, the benefits brought forward by providing new sporting facilities and securing access by the community to them would do so;
- the community access arrangements secured through the s106 agreement would include monitoring. These would be developed further through the drafting of the legal agreement;
- officers acknowledged the importance of a landscaping scheme for the site and a pre-commencement planning condition would secure details.

A Member proposed refusal on the following grounds:

1. 'The proposal, by reason of excessive scale, bulk and height would harm local amenity and character, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan.
2. The proposal would constitute an unacceptable loss of designated open space and would detract from its openness, contrary to policies DM18 of the Local Plan and 7.18 of the London Plan.'

The motion was seconded, put to the vote and lost. The Chair used his casting vote.

It was noted that Recommendations A & B had been amended after the agenda had been published and the amended Recommendations were set out below.

DECISION: GRANTED

RECOMMENDATION A

Authority be delegated to the Divisional Director of Regeneration, Enterprise and Planning to issue the planning permission subject to minor amendments to the conditions (set out in Appendix 1 of the officer report) and/or the Committee resolutions.

RECOMMENDATION B

Authority be delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services to refuse planning permission in the event that a s106 agreement reflecting the planning obligations set out above is not completed within three months (or an extended period agreed by the Divisional Director of Regeneration, Enterprise and Planning).

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Christine Robson voted for the application. The Chair used his casting vote.

Councillors Stephen Greek, Anjana Patel and Bharat Patel voted against the application.

12. 1/03: The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware - P/2764/17

PROPOSAL: *Erection of a new south stand with supporting leisure and hospitality facilities to the rear of the stand, replacement of seating within the east stand with terraces and an increase in the total capacity of the stadium from 5,176 to 8,500.*

Councillor Sachin Shah left the room during consideration of this item.

Following questions and comments from Members, an officer advised that:

- the Travel Plan focussed on sustainable modes of transport and targets had been set to reduce car trips and encourage modal shift. There were funds available to introduce an event day parking scheme, similar to the one at Wembley Stadium, and other traffic management measures. There were no plans to introduce a Controlled Parking Zone in the area;
- currently there was some spare parking capacity at the site;
- the Planning conditions would not typically address issues of litter on and around the site and any new conditions relating to litter would be difficult to enforce. The issue of litter at the site fell within the remit of the Environment Team. The planning application related to capacity at the site and did not cover the types of events the stadium could be used for. The venue would be subject to licensing conditions. The Committee was entitled to impose additional planning conditions but would need to bear in mind the enforceability of those conditions;

A Member proposed refusal on the following grounds:

'The proposal would constitute an over-intensive use of the site, to the detriment of local amenity and designated open space, contrary to policies DM1, DM18, DM42, DM46 and DM48 of the Local Plan, CS1 of the Core Strategy, and 7.4, 7.6 and 7.18 of the London Plan.'

The motion was seconded, put to the vote and lost.

It was noted that Recommendations A & B had been amended after the agenda had been published and the amended Recommendations were set out below.

DECISION: GRANTED

RECOMMENDATION A

delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to issue the planning permission subject to minor amendments to the conditions (set out in Appendix 1 of this report) and/or the Committee resolutions.

RECOMMENDATION B

To delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to refuse planning permission in the event that a s106 agreement reflecting the planning obligations set out above is not completed within three months (or an extended period agreed by the Local Planning Authority).

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Christine Robson voted for the application. The Chair used his casting vote.

Councillors Stephen Greek, Anjana Patel and Bharat Thakker voted against the application.

13. 2/01: 53 & 55 St. Michael's Crescent, Pinner - P/0289/18

PROPOSAL: *Single storey side to rear extensions and conversion of garages to habitable rooms to both no. 53 and 55 St. Michael's Crescent; associated external alterations to both properties*

DECISION: GRANTED, planning permission subject to the Conditions listed in Appendix 1 of the officer report.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

14. 2/02: 11 Sherington Avenue, Pinner - P/0999/18

PROPOSAL: *Non-material amendment to planning permission P/5427/17 decision date 21/02/2018 to allow the addition of a rooflight on single storey rear extension.*

Councillors Keith Ferry, Sachin Shah, Simon Brown and Christine Robson left the room during consideration of this item. Councillor Stephen Greek acted as Chair.

- 1) **DECISION: APPROVED** the non-material amendment.

The Committee wished it to be recorded that the decision to approve the application was unanimous.

15. 2/03: West House Gallery, Gallery Cafe - P/5747/17

PROPOSAL: *Single Storey Rear Extension; Canopy Over Terrace; Extension to Terrace and Extended Brick Wall; Re-location of Bin Storage; Reconfiguration of Car Park*

Councillor Keith Ferry left the room during consideration of this item. Councillor Christine Robson acted as Chair during consideration of this item.

A Member stated that in recent years, the Committee had received a number of applications from the café for expansion. The current application related mainly to the car park, which would not have a material impact on the park. However, he wanted it noted that any future applications for the expansion of the Café should be regarded with scepticism.

The Committee received representations from an objector, Mrs Dalglish and from, Cynthia Wells, a representative of the applicant.

DECISION: GRANTED, planning permission subject to the Conditions listed in Appendix 1 of the officer report.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

16. 2/04: Flats 330 to 332B Alexandra Avenue, Harrow - P/5563/16

PROPOSAL: *Construction of a three storey block of six flats attached to the existing building*

DECISION: GRANTED, planning permission subject to the conditions listed in Appendix 1 of the officer report.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

17. 2/05: 1A Cunningham Park, Harrow - P/4427/17

PROPOSAL: *Outline application for access, appearance, layout and scale: Demolition of existing dwellinghouse and erection of new building comprising 2 x 3 bedrooms and 7 x 2 bedroom flats; Amenity space; Parking; Cycle and Refuse Storage; New vehicle access*

Following questions and comments from Members, an officer advised

- the footprint of the existing building amounted to 66 metres, the footprint of the proposed building and the approved scheme was 196 metres in total;
- that paragraph 6.6.5 of the report should be deleted from the report as stated in the Addendum.

A Member proposed refusal on the following grounds:

‘The proposed development, by reason of excessive scale, bulk and intensity, would harm local character and amenity, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan.’

The motion was seconded, put to the vote and won.

DECISION: REFUSED

The Committee wished it to be recorded that the decision to refuse the application was unanimous.

18. 2/06: 4 Fairholme Road, Harrow - P/0152/18

PROPOSAL: *Demolition of existing buildings and redevelopment to create a three storey building to provide 8 flats, (three two bedroom, three person flats on the ground and first floor and two two bedroom four person flats on the second floor) and 182 sqm of new office space (use class b1) on the ground and first floor; parking; landscaping and amenity space; refuse and cycle storage*

Following questions and comments from Members, an officer advised that no objections had been received from Highways.

A Member proposed refusal on the following grounds:

‘The proposed development, by reason of excessive scale, bulk and height, and insufficient parking provision, would harm local character and amenity, contrary to policies DM1 and DM42 of the Local Plan, CS1 of the Core Strategy, and 6.13, 7.4 and 7.6 of the London Plan.’

The motion was seconded, put to the vote and lost.

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the

planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of the officer report) or the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 31st August 2018 or such extended period as may be agreed in writing by the Divisional Director of Planning, then delegate the decision to the Divisional Director of Planning to **REFUSE** planning permission for the appropriate reason.

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Christine Robson and Sachin Shah voted for the application.

Councillors Stephen Greek, Anjana Patel and Bharat Thakker voted against the application.

19. 2/07: 21 Whitegate Gardens - P/0966/18

PROPOSAL: *Re-development to provide a pair of semi-detached dwellings with habitable roofspace; new vehicle access onto Whitegate Gardens; parking; amenity space; boundary treatment; landscaping and bin storage*

DECISION: **Deferred**, for further consideration by officers.

20. 2/08: Ferrari House, 102 College Road, Harrow - P/0587/18

PROPOSAL: *Third floor rear extension and creation of fourth floor to accommodate 11 unit HMO single occupancy units over extended third and fourth floors with communal kitchen/dining area*

Councillor Bharat Thakker left the room during consideration of this item.

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 31 August 2018, or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Regeneration, Enterprise and Planning

The Committee wished it to be recorded that the decision to grant the application was unanimous.

21. **2/09: Central Depot, Forward Drive, Harrow - P/0276/18**

PROPOSAL: *portacabins for office use on the site.*

DECISION: GRANTED, planning permission

The Committee wished it to be recorded that the decision to grant/refuse the application was unanimous.

22. **2/10: Unit 10, Whitefriars Trading Estate, Tudor Road, Harrow - P/0773/18**

PROPOSAL: *Change of use from Business (Class B8/B1) to Cat homing centre (Sui Generis); External Alterations*

Following questions and comments from Members, an officer advised that the premises would be used to house domestic cats only. An informative to this effect would be added to the list of the informatives.

DECISION: GRANTED, planning permission subject to the Conditions listed in Appendix 1 of the officer report.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

23. **2/11: The Old Bakery, Grange Court - P/0186/18**

PROPOSAL: *Redevelopment to provide three detached dwellings; landscaping; parking; refuse and cycle storage*

Following questions and comments from Members, an officer advised that:

- the impact of the proximity of the proposed developments to the building to the rear of the site was deemed acceptable as it would not be overlooking any habitable rooms.

A Member proposed refusal on the following grounds:

‘The proposed development, by reason of excessive height, scale and proximity to neighbouring properties, would cause harm to local amenity, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan. ‘

The motion was seconded, put to the vote and lost.

DECISION: GRANTED, planning permission subject to the Conditions listed in Appendix 1 of the officer report.

The Committee wished it to be recorded that the decision to grant/refuse the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Christine Robson & Sachin Shah voted for the application.

Councillors Stephen Greek, Anjana Patel and Bharat Thakker voted against the application.

24. 2/12: 6 Crest View, Pinner - P/1498/18

PROPOSAL: *Single storey front conservatory extension; external alterations.*

Councillors Stephen Greek, Anjana Patel and Bharat Thakker left the room during consideration of this item.

DECISION: GRANTED, planning permission subject to the Conditions listed in Appendix 1 of the officer report.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

25. 2/13: 74 Whittington Way, Pinner - P/0073/18

PROPOSAL: *Change of use from MoT testing centre and car showroom (use class Sui Generis) to retail (use class A1) at ground floor level; associated parking and access; external alterations.*

Following questions and comments from Members, an officer advised that:

- a transport assessment had been undertaken and showed that there was sufficient parking in the vicinity of the site, in addition to the 4 parking spaces at the site;
- the Transport Assessment had indicated that a maximum of 19 trips would be generated by the development;

- the Council was unable to allocate disabled parking bays to individuals because of current legislation;

A member proposed refusal on the following grounds:

'the proposed development, by reason of excessive scale, intensity and insufficient parking provision, would harm local character and amenity, contrary to policies DM1 and DM42 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan.'

The motion was seconded, put to the vote and lost.

The Committee received representations from two objectors, Jonathan Simmons & Jane Cogger and a representative of the applicant, Matthew Roe and Councillor Richard Almond.

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of the officer report) or the legal agreement.

RECOMMENDATION B

That if, by 24th June 2018 or such extended period as may be agreed in writing by the Divisional Director of Planning, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Christine Robson & Sachin Shah voted for the application.

Councillors Stephen Greek, Anjana Patel and Bharat Thakker voted against the application.

26. Request to introduce an Article 4 (1) Direction for the Demolition of Front Boundary Treatments within 14 of Harrow's Conservation Areas

The Committee received a report of the Divisional Director of Planning and Regeneration which set out details of an article 4 Direction under the Town and Country Planning Order 2015.

Following questions and comments from Members, an officer advised that Article 4 Directions fell within the remit of the Planning Committee and not the Portfolio Holder for Planning and Regeneration.

RESOLVED: That

- (1) the officer recommendation to introduce an Article 4(1) Direction of the Town and Country Planning (General Permitted Development) (England) Order 2015 to require planning permission for the demolition of the all or any part of any gate, fence, wall or other means of enclosure in existing conservation areas (Part 11, Class C of Schedule 2 of the GPDO), where an existing Article 4 direction exists in relation to the construction or alteration of a boundary treatment. The new additional Article 4 direction is to apply only where facing a highway, waterway or open space where this is the case already for the existing Article 4 Direction, and otherwise for the entire boundary treatment, in accordance with the existing Direction, be agreed;
- (2) authority be delegated to officers to undertake the necessary statutory processes to serve the proposed Article 4 Direction, noting that any representations received during the statutory consultation period be reported back to the Planning Committee along with a recommendation as to whether or not to confirm the Direction.

Reason: (For recommendation)

To ensure that the special character of the conservation areas affected is preserved or enhanced. Since 1967 local authorities have been required to protect areas which are valued for their special architectural or historic interest – the character and appearance of which it is desirable to preserve and enhance - through the designation of Conservation Areas under the provisions of Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990. They are required to carry out reviews ‘from time to time’ to ensure areas are adequately covered. This proposal stems from a review that a recent planning application instigated as it revealed an anomaly in protection for conservation areas. Where boundary treatments are sensitive to change in the borough’s conservation areas an existing Article 4 direction has been introduced requiring planning permission for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, yet in every case currently permitted development rights still exist for the demolition of all or part of boundary treatments, meaning the existing article 4 direction can be ineffective.

(Note: The meeting, having commenced at 6.32 pm, closed at 8.46 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair